

EXHIBIT D

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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

R.M.S. TITANIC, INC.,
SUCCESSOR IN INTEREST TO
TITANIC VENTURES, LIMITED
PARTNERSHIP,
Plaintiff,
v.
THE WRECKED AND ABANDONED
VESSEL, ETC.,
Defendant.

CIVIL ACTION NO.
2:93cv902

TRANSCRIPT OF PROCEEDINGS
Norfolk, Virginia
May 3, 2018

BEFORE: THE HONORABLE REBECCA BEACH SMITH
Chief United States District Judge

APPEARANCES:
KALEO LEGAL
By: Brian A. Wainger
And
McGUIRE WOODS LLP
By: Robert W. McFarland
Counsel for R.M.S. Titanic

1 suggestions, Your Honor, and directions, and we will comply
2 and try to get that letter out immediately.

3 The one thing I wanted to add very briefly, and
4 this gets a little bit tricky, but the company is concerned
5 about enforcing its rights, and the government is concerned
6 about making sure that no one steps on R.M.S.T.'s rights,
7 but also that it comply with what it perceives to be its
8 obligations under Section 113.

9 For the record, R.M.S.T. doesn't believe that 113
10 is enforceable or constitutional, but we haven't taken any
11 action on that yet. But I want to make sure that the Court
12 is aware that there are varying positions with respect to
13 the enforceability of that provision.

14 THE COURT: I understand, but let's for now say we
15 are all on the same page to protect the wreck site and the
16 artifacts.

17 MR. WAINGER: Absolutely.

18 THE COURT: So for right now, regardless of your
19 legal positions on 113, we are all on the same page for this
20 one.

21 MR. WAINGER: Understood.

22 THE COURT: All right. I think that brings us to
23 the third issue that I'm not sure there is anything
24 anybody's going to be able to do. Mr. George Tulloch, when
25 he was president of R.M.S.T., wrote this nice letter to